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**FROM:** Judy Calem on behalf of Gregory P. Einhorn**DATE:** January 7, 2008

Number of pages with cover page: <u>6</u>	Original or hard copy to follow if this box is checked <input type="checkbox"/> .
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**Comments:**

ATTORNEY DOCKET: 564462001820

GROUP ART UNIT: 1652

EXAMINER: Peter P. Tung

SERIAL NO. / PATENT NO.: 09/318,528 / 6,183,740

FILING DATE / ISSUE DATE: May 25, 1999 / February 6, 2001

INVENTOR(S): Jay M. SHORT et al.

TITLE: RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF

**Papers attached:**

1. Transmittal (1 page)
2. Fee Transmittal (1 page plus duplicate for fee processing)
3. Notification of Loss of Entitlement to Small Entity Status (2 pages)

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PTO/SB/21 (12-07)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	Patent#: 6,183,740	
	Filing Date	Issued: February 6, 2001	
	First Named Inventor	Jay M. SHORT	
	Art Unit	1652	
	Examiner Name	P. Tung	
Total Number of Pages in This Submission	6	Attorney Docket Number	564462001820

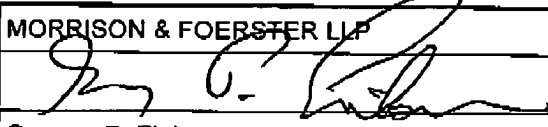
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ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (1 page plus duplicate for fee processing)  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet (1 page) Notification of Loss of Entitlement to Small Entity Status (2 pages)
Remarks: _____		

**CUSTOMER NO.: 45975**

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Gregory P. Einhorn		
Date	January 7, 2008	Reg. No.	38,440

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Dated: January 7, 2008

Signature:  (Judy Calem)

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PTO/SB/17 (10-07)

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Effective on 12/08/2004, Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4318). <b>FEE TRANSMITTAL</b> <b>For FY 2008</b>		<b>Complete if Known</b> Application Number Patent#: 6,183,740 Filing Date Issued: February 6, 2001 First Named Inventor Jay M. SHORT Examiner Name P. Tung Art Unit 1652 Attorney Docket No. 564462001820	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		JAN 4 2008 OFFICE OF PETITIONS	
TOTAL AMOUNT OF PAYMENT (\$) \$1,740.00			

## METHOD OF PAYMENT (check all that apply)

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<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP				
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<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments		

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

## 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
- 20 =	x	=		Fee (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50 =	(round up to a whole number) x	=	

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

Large Entity deficiency fee payments. Please see attached  
Notification of Loss of Entitlement to Small Entity Status

Fees Paid (\$)

\$1,740.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	38,440
Name (Print/Type)	Gregory P. Einhorn	Telephone	(858) 720-5133
		Date	January 7, 2008

sd-406871

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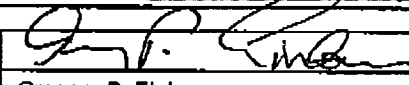
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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

<p>Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2 style="text-align: center;">FEE TRANSMITTAL</h2> <h3 style="text-align: center;">For FY 2008</h3>		<p><b>Complete if Known</b></p> <p>Application Number: Patent#: 6,183,740</p> <p>Filing Date: Issued: February 6, 2001</p> <p>First Named Inventor: Jay M. SHORT</p> <p>Examiner Name: P. Tung</p> <p>Art Unit: 1652</p> <p>Attorney Docket No.: 564462001820</p>					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<p style="text-align: right;">RECEIVED JAN 14 2008 OFFICE OF PETITIONS</p>					
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) <b>\$1,740.00</b>							
<b>METHOD OF PAYMENT</b> (check all that apply)							
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify):							
<input checked="" type="checkbox"/> Deposit Account    Deposit Account Number: <b>03-1952</b> Deposit Account Name: <b>Morrison &amp; Foerster LLP</b>							
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)							
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<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments							
<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
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<b>2. EXCESS CLAIM FEES</b>							
Fee Description	Fee (\$)	Small Entity Fee (\$)					
Each claim over 20 (including Reissues)	50	25					
Each independent claim over 3 (including Reissues)	210	105					
Multiple dependent claims	370	185					
<table border="0" style="width: 100%;"> <tr> <td> <b>Total Claims</b>    <b>Extra Claims</b>    <b>Fee (\$)</b>    <b>Fee Paid (\$)</b>            HP - 20 = _____ x _____ = _____            HP = highest number of total claims paid for, if greater than 20.         </td> <td> <b>Multiple Dependent Claims</b>  <b>Fee (\$)</b>    <b>Fee Paid (\$)</b>            _____ x _____ = _____            HP = highest number of independent claims paid for, if greater than 3.         </td> </tr> </table>				<b>Total Claims</b> <b>Extra Claims</b> <b>Fee (\$)</b> <b>Fee Paid (\$)</b> HP - 20 = _____ x _____ = _____ HP = highest number of total claims paid for, if greater than 20.	<b>Multiple Dependent Claims</b> <b>Fee (\$)</b> <b>Fee Paid (\$)</b> _____ x _____ = _____ HP = highest number of independent claims paid for, if greater than 3.		
<b>Total Claims</b> <b>Extra Claims</b> <b>Fee (\$)</b> <b>Fee Paid (\$)</b> HP - 20 = _____ x _____ = _____ HP = highest number of total claims paid for, if greater than 20.	<b>Multiple Dependent Claims</b> <b>Fee (\$)</b> <b>Fee Paid (\$)</b> _____ x _____ = _____ HP = highest number of independent claims paid for, if greater than 3.						
<b>3. APPLICATION SIZE FEE</b> If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<table border="0" style="width: 100%;"> <tr> <td> <b>Total Sheets</b>    <b>Extra Sheets</b>    <b>Number of each additional 50 or fraction thereof</b>    <b>Fee (\$)</b>    <b>Fee Paid (\$)</b>            _____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____         </td> </tr> </table>				<b>Total Sheets</b> <b>Extra Sheets</b> <b>Number of each additional 50 or fraction thereof</b> <b>Fee (\$)</b> <b>Fee Paid (\$)</b> _____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____			
<b>Total Sheets</b> <b>Extra Sheets</b> <b>Number of each additional 50 or fraction thereof</b> <b>Fee (\$)</b> <b>Fee Paid (\$)</b> _____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____							
<b>4. OTHER FEE(S)</b>							
Non-English Specification. \$130 fee (no small entity discount) Other (e.g., late filing surcharge): Large Entity deficiency fee payments. Please see attached Notification of Loss of Entitlement to Small Entity Status							
<b>\$1,740.00</b>							
<b>SUBMITTED BY</b>							
Signature			Registration No. 38,440 Telephone (858) 720-5133				
Name (Print/Type)	Gregory P. Einhorn		Date January 7, 2008				

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Docket No.: 564462001820  
(PATENT)

Dated: January 7, 2008

Signature:

*Judy Calton*  
(Judy Calton)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Jay M. SHORT et al.

Application No.: 09/318,528  
Patent No.: 6,183,740

Filed: May 25, 1999  
Issued: February 6, 2001

For: RECOMBINANT BACTERIAL PHYTASES  
AND USES THEREOF

Confirmation No.:1553

Art Unit: 1652

Examiner: P. Tung

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**NOTIFICATION OF LOSS OF ENTITLEMENT  
TO SMALL ENTITY STATUS UNDER 37 CFR § 1.28(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Assignee, Verenum Corporation, hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity and the claim for small entity status filed by Applicant is hereby withdrawn.

Following is a chart showing the fees as paid and the deficiency owed, and Applicant encloses herewith Fee Transmittal SB/17 in payment of the additional fees due.

01/10/2008 DALLEN 00000017 031952 09318528

01 FC:1461 1265.00 DA

01/10/2008 DALLEN 00000018 031952 6183740

01 FC:1559 475.00 DA

Application No.: 09/318,528

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Docket No.: 564462001820

JAN 07 2008

Date	Type of Fee	Fees Paid	Large Entity Fee	Deficiency Owed
05/25/99	Basic Filing Fee – Utility	380.00	810.00	430.00
08/17/00	Assignment	40.00	40.00	0.00
08/17/00	Utility Issue Fee	605.00	1,440.00	835.00
08/17/00	10 Advanced Copies	30.00	30.00	0.00
<b>08/06/04</b>	<b>Maintenance Fee – 4<sup>th</sup> Year</b>	<b>455.00</b>	<b>930.00</b>	<b>475.00</b>
	<b>Total Fees Due:</b>			<b>\$1,740.00</b>

Please charge **Deposit Account No. 03-1952** in the amount of \$1,740.00, referencing Docket No. 564462001820.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 564462001820.

Dated: January 7, 2008

Respectfully submitted,

By: 

Gregory P. Eihhorn

Registration No.: 38,440

MORRISON & FOERSTER LLP  
12531 High Bluff Drive, Suite 100  
San Diego, California 92130-2040  
(858) 720-5112